

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

AUDEN VALDEZ,

Plaintiff,

v.

No. 1:21-cv-00572-KWR-SCY

NEW MEXICO DEPARTMENT OF CORRECTIONS,

Defendant.

**ORDER DENYING IN FORMA PAUPERIS RELIEF**

**THIS MATTER** is before the Court on Plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. 2). He seeks to prosecute his Prisoner Civil Rights Complaint without prepaying the \$402 filing fee. The Court may only grant such relief where an inmate's "affidavit [and] ... statement of ... assets [demonstrates] that the [inmate] is unable to pay such fees or give security therefor." 28 U.S.C. § 1915(a)(1). Plaintiff's financial statement reflects he has \$1,343.80 in his inmate spending account. (Doc. 2 at 3). The Court will therefore deny the Motion. Plaintiff must prepay the \$402 filing fee within thirty (30) days of entry of this Order. The failure to timely comply will result in the dismissal of this action without further notice.

**IT IS ORDERED** that Plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. 2) is **DENIED**; and Plaintiff must prepay the \$402 filing fee within thirty (30) days from entry of this Order.

  
**KEA W. RIGGS**  
**UNITED STATES DISTRICT JUDGE**